

REMARKS

This response is submitted in response to the Final Office Action mailed October 20, 2003, to request reconsideration of the rejection of claims 1-18 as set forth therein.

In the Final Office Action, the Examiner maintains the previous grounds of rejection set forth in the previous Official Action. Specifically, the Examiner rejects claims 1-4 and 6-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,006,227 to Freeman et al., (hereinafter "Freeman") in view of U.S. Patent No. 6,016,478 to Zhang et al., (hereinafter "Zhang"). Additionally, the Examiner rejects claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Freeman and Zhang and further in view of U.S. Patent No. 5,977,968 to LeBlanc (hereinafter "LeBlanc"). Lastly, the Examiner rejects claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Freeman and LeBlanc and further in view of U.S. Patent No. 6,460,036 to Herz (hereinafter "Herz").

In response, Applicants again respectfully traverse the Examiner's rejections under 35 U.S.C. §§ 102(e) and 103(a) for at least the reasons set forth below.

With regard to claim 1, the Examiner continues to argue that Freeman discloses all of the features of the claim with the exception of:

- prompting a user, by a calendar/diary application, to enter data relating to said event for incorporation in a historical record of events pertaining to a user;
- accepting user input responsive to said step of prompting;
- adding a record to a database defining said historical record including at least one of data resulting from said step of classifying and data resulting from said step of accepting.

The Examiner cites Zhang as teaching the deficiencies in Freeman. Applicants again respectfully disagree and submit that the Examiner has engaged in a rather fanciful interpretation of both Freeman and Zhang.

As discussed previously, Freeman merely discloses organizing documents into a stream of documents that are sorted by date. Freeman does not classify one of audio, video, and text inputs into a computer. Freeman merely sorts documents (e.g., files) (which can include audio, video, or text documents) and organizes the same in a single stream of documents. Freeman also does not generate an indicator of an event responsively to the classification. Freeman merely organizes the documents chronologically, which is not an event responsive to the classification. Furthermore, as discussed in the previous Response, even if the "time indicator" could be considered an event, it is related to the document application itself. Claim 1 recites that the event is unrelated to the calendar/diary application. As an example, claims 3 and 4 recite that the event is writing an e-mail letter and writing a letter on a text application (other than the calendar/dairy application), respectively. Thus, Freeman also does not disclose an event unrelated to the calendar/diary application.

Zhang discloses scheduling software where a user can schedule an event and send a communication to invitees of the event. The invitees can then respond to the invitation and the system collects the responses for the user. This is totally irrelevant to the invention as recited in claim 1. The Examiner equates the event (i.e., meeting) of Zhang with the event recited in claim 1. As discussed above, claim 1 recites generating an indicator of an event responsively to a classification of inputs into a computer where the event is unrelated to the calendar/dairy application. In Zhang, a user schedules an actual event (such as a meeting) and merely sends out invitations and receives responses through the scheduling software.

Furthermore, in the system of Zhang, the user is not prompted to enter data relating to the event, the user him or herself indicates the event and enters data relating to the event.

The Examiner responds to the above arguments in the Final Official Action by arguing that Freeman teaches classifying "one of audio, video, and text input" at column 2, lines 41-43. The Examiner further responds by arguing that Freeman teaches generating "an indicator of an event" at column 11, lines 57-59 (generating a reminder as an electronic mail related to an event, e.g., a meeting).

Applicants again respectfully submit that, Freeman merely organizes documents into a stream of documents that are sorted by date. Freeman does not classify the documents according to audio, video, and text inputs but is merely capable of accepting such formats and displaying the same as "documents." Furthermore, while Freeman teaches generating an e-mail as an indicator of an event, **such an indicator is not responsive to any classification** as is recited in claim 1. The Examiner's remaining arguments with regard to claim 1 are equally without merit.

Therefore, for at least the reasons set forth above with regard to claim 1, Applicants respectfully submit that claim 1 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 2-4 patentably distinguish over the cited references independently of claim 1, Applicants respectfully submit that claims 2-4 are at least allowable therewith as depending from an allowable base claim.

With regard to claim 6, the Examiner continues to argue that Freeman discloses all of the features of claim 6 with the exception of:

prompting a user for greater detail in an event defined by said record;
automatically generating a diary record responsive to a result of said steps of accepting and prompting.

The Examiner cites Zhang as teaching the deficiencies in Freeman. Applicants again respectfully disagree.

As discussed above, Freeman does not teach or suggest accepting data towards the making of a new record in a calendar application. Freeman merely discloses reorganizing documents into a new stream or substream of documents.

Secondly, as discussed in the previous Response, Zhang contains no disclosure of prompting a user for greater detail in an event defined by said record. Zhang discloses the user selecting an Internet/Scheduling wizard icon from a menu that launches pages where the user can enter information regarding an event. Furthermore, Zhang does not teach "automatically generating a diary record responsive to a result of said steps of accepting and prompting". Zhang discloses putting the event on the user's calendar when the user is ready to schedule the event. Thus, the update of the user's calendar is not automatic upon the prompting but upon the scheduling of the event.

The Examiner has responded to such arguments by reiterating that Zhang teaches "automatically generating a diary record" at column 6, lines 36-38 (automatically updating the scheduling calendar). Zhang teaches, at column 6, lines 16-46, an e-mail system, which can be used to schedule a meeting. A user sends out an invitation to attend the meeting, which the invitees can accept, or decline. When the invitee accepts or declines, the system automatically updates the scheduling calendar.

Claim 6 recites (1) that a dairy record is automatically generated and (2) that such updating is responsive to a result of the steps of accepting and prompting. Zhang teaches neither. Zhang teaches updating a scheduling calendar responsive to accepting or declining an invitation to a meeting. Zhang neither teaches updating a diary record nor updating any

record responsive to accepting data towards making a new record or prompting a user for greater detail in an event defined by the record.

Therefore, for at least the reasons set forth above with regard to claim 6, Applicants again respectfully submit that claim 6 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 7-9 patentably distinguish over the cited references independently of claim 6, Applicants respectfully submit that claims 7-9 are at least allowable therewith as depending from an allowable base claim.

With regard to claim 10, the Examiner continues to argue that Freeman discloses, "detecting one of a passage of time since an entry of a record into a diary database and a time of day." Applicants again respectfully disagree. As discussed in the previous response, Freeman merely discloses chronological indicators to indicate time, the chronological indicators do not detect "one of a passage of time since an entry of a record into a diary database and a time of day." The chronological indicators are merely used to arrange the documents chronologically. Also as discussed above, Zhang is not concerned with entering and generating diary records. Furthermore, Zhang contains no disclosure of "prompting a user to enter a diary entry responsively to said step of detecting." As discussed above, Zhang merely allows a user to enter event information into a page in response to a user's indication of scheduling an event. Zhang does not prompt a user to enter a dairy entry responsive to a detection of a passage of time. Thus, both Freeman and Zhang contain absolutely no disclosure or suggestion of at least the detecting and prompting steps of claim 10.

In the Final Official Action, the Examiner responds to such arguments by citing column 6, lines 3-7 of Freeman and column 13, lines 22-32 of Zhang.

With regard to Freeman, the cited portion merely teaches that the system of Freeman allows documents to be created in the future in a "future" portion of the stream of documents. Thus, a user can create a document and insert it into the stream for a future date. The system keeps the document until the future time arrives, at which point a reminder document is brought into view and the document enters the "present" portion of the stream of documents.

This is much different from that which is recited in claim 10. The system of Freeman merely allows a user to create a document for a time in advance and is reminded when that time arrives. Claim 10 recites detecting a passage of time since an entry of a record into a diary database or a time of day and prompting a user to enter a diary entry responsive to the detecting. Freeman neither teaches the detecting nor prompts the user based on the detecting.

With regard to Zhang, the cited portion merely teaches automatically adding a meeting to an invitee's calendar when the invitee accepts an invitation to a meeting. If the meeting is declined, the system sends a message to the inviter with the invitee's reply. The reply may also include a report on the invitee's unbooked time for the next 30 days (or other interval specified by the invitee). Thus, the invitee merely specifies a time interval for his/her unbooked time. Thus, Zhang also does not teach the detecting and prompting steps recited in claim 10.

Therefore, for at least the reasons set forth above with regard to claim 10, Applicants respectfully submit that claim 10 patentably distinguishes over the combination of

Freeman and Zhang and is allowable. Although dependent claims 11-13 patentably distinguish over the cited references independently of claim 10, Applicants respectfully submit that claims 11-13 are at least allowable therewith as depending from an allowable base claim.

With regard to claim 14, firstly, the Examiner again argues that Freeman discloses, accepting data descriptive of an appointment and/or an event for inclusion in a diary database. As discussed above, Zhang is not concerned with entering and generating diary records. Zhang accepts data units, which are documents to be organized, not data descriptive of an event or appointment for inclusion in a dairy database.

Furthermore, the Examiner again argues that Zhang discloses "extracting current events or historical data from an external source" and "adding data resulting from said step of extracting to data resulting from said step of accepting to said diary database". Applicants again disagree.

The portion of Zhang cited by the Examiner in support of his arguments in no way teach the extracting and adding steps recited in claim 10 and are totally irrelevant thereto. The cited portion of Zhang merely discloses a parser that extracts information from an incoming message. It certainly does not disclose extracting current events or historical data from an external source. Zhang also discloses appending certain information to a message. However, such information is not current events or historical data from an external source.

Furthermore, the Examiner now argues that Freeman discloses the importation of historical data from an external source at column 4, lines 26-30 ("like a diary, a stream records evolving work, correspondence and transactions because historical context can be crucial in an organizational setting"). The cited portion of Freeman merely teaches that the

stream of documents being in a chronological order, adds a historical context to the collection of documents. Freeman merely discloses the word "historical," it certainly does not disclose extracting current events or historical data from an external source nor does Freeman disclose adding such data to a diary database entry.

Therefore, for at least the reasons set forth above with regard to claim 14, Applicants respectfully submit that claim 14 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 15 and 16 patentably distinguish over the cited references independently of claim 14, Applicants respectfully submit that claims 15 and 16 are at least allowable therewith as depending from an allowable base claim.

With regard to claims 17 and 18, as discussed previously, Freeman is not concerned with accepting user input to be recorded in a dairy database. Although, LeBlanc discloses a computer system for sensing and classifying moods of user's, there is absolutely no suggestion or motivation in either Freeman or LeBlanc to use such a system in connection with a diary database. The Examiner argues that Herz generates an index responding to the step of sensing. Applicants respectfully disagree. Herz merely describes the evaluation of the likelihood of interest in a particular target object for a user (see column 18 line 49 to column 20, line 55). The evaluation is made by building a user profile based on the user's interests. Thus, Herz contains absolutely no disclosure or suggestion of sensing as is recited in claim 17 and certainly does not generate an index responsive to the sensing. The Examiner also argues that Herz adds the index and the user input to the diary database. Applicants respectfully submit that Herz is not directed to a diary database and neither suggests one.

In response to the above arguments, the Examiner merely cites old Federal Circuit case law but does not in any way rebut the arguments set forth above why there is no motivation or suggestion to combine the references or where the references teach the missing features of the claims (as outlined above). Thus, Applicants reiterate that the rejections of at least claims 17 and 18 are improper because there is no motivation or suggestion for the combination of references cited by the Examiner for at least the reasons set forth above. Furthermore, as discussed above, Applicants respectfully submit that the combination of references cited by the Examiner does not teach all of the features recited in either claim 17 or 18.

With regard to the rejection of claims 1-4 and 6-16 under 35 U.S.C. § 103(a), methods having at least the features discussed above and as recited in independent claims 1, 6, 10, and 14, are nowhere disclosed or suggested in Freeman and/or Zhang. Accordingly, independent claims 1, 6, 10, and 14 patentably distinguish over the combination of Freeman and Zhang and are allowable. Claims 2-4, 7-9, 11-13, 15, and 16 being dependent upon claims 1, 6, 10, and 14, are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-4 and 6-16 under 35 U.S.C. § 103(a).

With regard to the rejection of claims 17 and 18 under 35 U.S.C. § 103(a), the features discussed above and recited in independent claims 17 and 18, are nowhere disclosed or suggested in Freeman, LeBlanc and/or Herz. Accordingly, independent claims 17 and 18 patentably distinguish over the combination of Freeman, LeBlanc, and Herz and are allowable. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 17 and 18 under 35 U.S.C. § 103(a).

With regard to the rejection of claim 5 under 35 U.S.C. § 103(a), since independent claim 1 patentably distinguishes over the prior art and are allowable, claim 5 is at least allowable therewith as depending from an allowable base claim.

In general, throughout the Official Action, the Examiner picks and chooses among the embodiments of Freeman and Zhang and combines them as if they are disclosed as a single embodiment. Applicants further submit that the Examiner equates a similar term in the references with teaching the features of the claims that use the same or similar term without considering the recitations of the claims in total. Applicants respectfully submit that both practices are improper.

Furthermore, although the claims of the present application patentably distinguish over the cited references, Applicants again further submit that there is no motivation for combining at least the Freeman and Zhang references at least because Zhang is not directed to accepting data towards making records in a calendar application but with organizing different types of documents. Thus, those skilled in the art would not be motivated or suggested to look to the scheduling system of Zhang for combination with Freeman, and vice versa. Therefore, Applicants respectfully submit that the combination of at least Freeman and Zhang is improper and must be withdrawn.

Lastly, Applicants also again respectfully submit that there is no motivation for combining Freeman with the Herz or LeBlanc references because Freeman neither discloses nor suggests the use of detection of a mood as an event and neither Herz nor LeBlanc are directed to a diary/calendar. Thus, since neither Freeman, Herz, nor LeBlanc expressly discuss the objectives of the present invention nor present target events to the user based upon

the detection of an event, the Examiner could have only gleaned them from the present invention, which is improper as based on hindsight.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,


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